

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**


<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>DOCKET NO. 2:08-CR-00069</b>
<b>VERSUS</b>	<b>:</b>	<b>JUDGE HICKS</b>
<b>CLYDE J. PONTEFRACT</b>	<b>:</b>	<b>MAGISTRATE JUDGE KAY</b>

**JUDGMENT**

After an independent determination of the issues and review of the record, and noting the lack of objections filed in the record, and a *de novo* determination of the issues, the Court concludes that the Magistrate Judge's Report and Recommendation [doc. 236] is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS ORDERED** that the instant Motion to Vacate [doc. 235] filed under 28 U.S.C. § 2255 be transferred to the United States Court of Appeals for the Fifth Circuit, in order to determine whether he is authorized to proceed with this successive motion under 28 U.S.C. § 2255(h).

**THUS DONE AND SIGNED** in Chambers this 17th day of October, 2018.

  
**S. MAURICE HICKS, JR.**  
**UNITED STATES DISTRICT JUDGE**